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Original

**FIELDS IN TRUST – QUEEN ELIZABETH II FIELDS  
Non-Charitable Deed of Dedication**

**THE COMMITTEE OF MANAGEMENT (1)**

And

**THE CUSTODIAN TRUSTEE (2)**

And

**NATIONAL PLAYING FIELDS ASSOCIATION (3)**

Bardwell Playing Field

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THIS DEED OF DEDICATION is made on the

25<sup>th</sup>

day of June 2012

**BETWEEN**

- (1) **THE COMMITTEE OF MANAGEMENT** c/o David Ray of Chapel Cottage Low Street Bardwell Bury St Edmunds Suffolk IP31 1AU operating as Bardwell Playing Field Association (registered charity number 304854) and its successors in title (the **Committee**);

And

- (2) **THE CUSTODIAN TRUSTEE** operating as The Bardwell Parish Council c/o Lavender Barn, Bowbeck, Bardwell, Bury St Edmunds, Suffolk, IP31 1BA (the **Custodian Trustee**)

And

- (3) **NATIONAL PLAYING FIELDS ASSOCIATION**, operating as Fields in Trust, of 15 Crinan Street, London N1 9SQ a Royal Charter Organisation established for charitable purposes (registered charity number 306070) and its successors in title (**FIT**)

The **Committee**, the **Custodian Trustee** and **FIT** being together called the **Parties**)

**WHEREAS:**

1. The property is vested in the Committee and Custodian Trustee in trust for the residents of Bardwell more particularly specified in the Schedule (the Property).
2. The parties hereby agree that the Property will be dedicated in the manner and for the purposes set out below (but without any intention to create any charitable trust), and in accordance with the mutual undertakings given by the parties.
3. The Committee and the Custodian Trustee DECLARE that it shall henceforth hold the property in perpetuity to permit the same to be used as a public playing field and recreation ground and gives the following undertakings:
  - 3.1 Not to use the Property or permit the Property to be used for any purpose other than as a public playing field and recreation ground;
  - 3.2 Not (in so far as it has the power to do so) to dispose of the Property without the consent of FIT;
  - 3.3 Not (in so far as it has the power to do so) to erect any building or structure on the Property the use of which is outside of the permitted uses stated in Clause 3.1 without the consent of FIT;
  - 3.4 To inform FIT without delay of any proposals, intentions or decisions to dispose of or erect any structures on the Property;

- 3.5 To maintain the Property and to have regard to any advice given from time to time by FIT on the management and running of the Property;
- 3.6 To erect notices on the Property in the form of a signage provided by FIT relating to the background of FIT and the Queen Elizabeth II Fields and giving recognition to financial support where required;
- 3.7 To apply, within three months of the date of this Deed, on form RX1 annexed hereto for the registration in the proprietorship register of the registered title of the Property at the Land Registry of a restriction to the following effect:

"No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written certificate signed by FIT of 15 Crinan Street, London N1 9SQ or by its conveyancer that the provisions of paragraph 4 of The Deed of Dedication dated [25<sup>th</sup> June 2012] between the Committee of Management (1) and the Custodian Trustee (2) and National Playing Fields Association (3) have been complied with".

- 3.8 To apply, within three months of the date of this Deed, on form AN1 annexed hereto for the registration in the charges register of the registered title of the Property at the Land Registry of a notice to the following effect:

"A Deed of Dedication dated [25<sup>th</sup> June 2012] between the Committee of Management (1) and the Custodian Trustee (2) and National Playing Fields Association (3)"

- 3.9 To notify FIT immediately once the registrations referred to in clauses 3.7 and 3.8 have been completed.

4. Notwithstanding clause 3.2, FIT may at its absolute discretion consent to the disposal of the Property provided that the Committee and the Custodian Trustee at the request of FIT:

- 4.1 Replaces or agrees to replace the Property with a piece of freehold land approved by FIT which is of equivalent or better quality than the Property, with equivalent or better facilities than the Property, of the same or greater dimensions than the Property, in the same catchment area as the Property, and as accessible to the public as the Property (the **Replacement Site**) and applies such of the proceeds of any sale of the Property as are necessary to do so; and

- 4.2 Enters into another deed of dedication on the same terms as this Deed in respect of the Replacement Site.

5. FIT undertakes that it will:

- 5.1 Not withhold unreasonably consent to disposal of the Property or the erection of any structures upon it, subject to its duty to perform its charitable objects;
- 5.2 Respond without delay to any notifications of intended disposal or erection of structures, or to any requests for advice;

- 5.3 Notify the Committee and the Custodian Trustee without delay of any concerns or matters of advice to which it requires the Custodian Trustee and Committee to have regard.
6. The Committee and the Custodian Trustee DEDICATE the property in celebration of the Diamond Jubilee of Her Majesty Queen Elizabeth II as a public playing field and recreation ground for the benefit of the inhabitants of Bardwell and thereabouts and the site will be titled the Queen Elizabeth II Field, Bardwell.

**IN WITNESS** whereof this Deed of Dedication is executed by the charity trustees the day and year first before written.



## SCHEDULE

All that freehold property known as land at Bardwell Playing Field, Spring Road, Bardwell Bury St Edmunds (IP31 1AB) which is identified on the plan outlined in red and annexed to this deed being Title Number SK336601.

**SIGNED as a DEED** on behalf of the Committee and the **Trustees** David Ray, Walter Banes, Christine Banes, Peter Finn, ~~Caroline Clarke~~, John McVicker, Peter Sanderson, Bryn Lewis, Barbara Sanderson by

**DAVID RAY**  
Chairman

**PETER SANDERSON**  
Trustee

Two of their number, under an authority conferred pursuant to section 333 of the Charities Act 2011 in the presence of

Witnessed by (Signature):

Name: **Pauline Smith**  
As Clerk to Bardwell Parish Council  
Address:

**SIGNED as a DEED** by the **Custodian Trustee**

**COUNCILLOR PETER SANDERSON**  
As Chairman for Bardwell Parish Council

**COUNCILLOR BARRY GEORGE KENNETH FELTON**  
As Vice Chair for Bardwell Parish Council

Witnessed by (Signature):

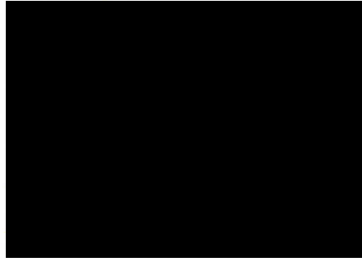
Name: **Pauline Smith**  
As Clerk to Bardwell Parish Council  
Address:

As appointed pursuant to the provisions of the Conveyance dated 5 April 1968, Schedule 2.

**EXECUTED** as a **DEED** by affixing

**THE COMMON SEAL OF NATIONAL PLAYING FIELDS ASSOCIATION**

in the presence of:



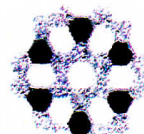
Member of Council

Member of Council

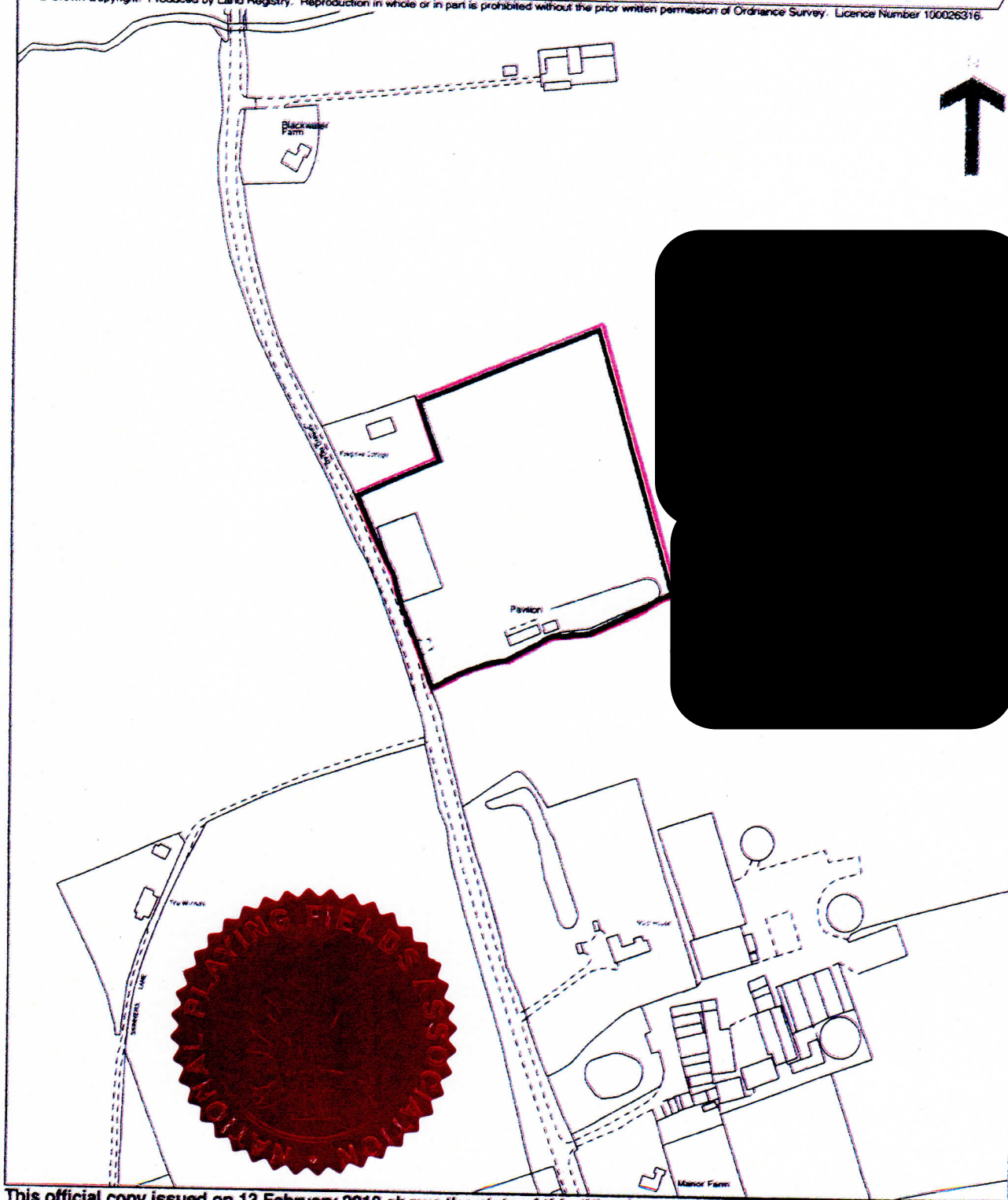


Land Registry  
Official copy of  
title plan

Title number **SK336601**  
Ordnance Survey map reference **TL9474SW**  
Scale **1:2500**  
Administrative area **Suffolk: St Edmundsbury**



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